

The Corporation of The Town of Parry Sound

Council Meeting Minutes September 17, 2019

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## **Minutes**

### **Date:**

September 17, 2019

### **Time:**

7:00 P.M. (6:30 PM Closed)

### **Location:**

52 Seguin Street, Council Chambers, Gibson Street Entrance

### **Members Present:**

Mayor Jamie McGarvey, Councillor Backman, Councillor Borneman, Councillor Burden, Councillor Keith, Councillor McCann

**Regrets:** Councillor Horne

### **Staff Present:**

CAO Clayton Harris, Clerk Rebecca Johnson, Director of Public Works Peter Brown, Director of Development & Protective Services Dave Thompson, Director of Finance Stephanie Phillips, Manager of Building & Planning Services Taylor Elgie, Chief Building Official John Este

## **Presentations: N/A**

### **Resolution 2019 - 096**

**Moved by Councillor Burden**

**Seconded by Councillor McCann**

That pursuant to Section 239(2) of the Municipal Act, R.S.O. 2001, Chapter 25, as amended, the Council of the Corporation of the Town of Parry Sound move to a meeting closed to the public in order to address matters pertaining to:

e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board, **(property matter)**;

f) the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose, **(property matter)**;

**Carried**

### **1.1 Additions to Agenda/Notice of Motion**

### **1.2 Prioritization of Agenda**

### **1.3 Adoption of Agenda**

**Moved by Councillor McCann**

**Seconded by Councillor Burden**

That the Council agenda for September 17, 2019 be approved as circulated.

**Carried**

### **1.4 Disclosure of Pecuniary Interest and the General Nature Thereof**

## **2. Public Meeting**

2.1 Zoning By-law Amendment - Z/19/09 – 14-16 William Street (Henry)

2.2 Zoning By-law Amendment - Z/19/10 – 78 Great North Road (John Jackson Planner on Behalf of Parry Property Holdings Ltd)

2.3 Zoning By-law Amendment - Z/19/11 – 80 Great North Road (John Jackson Planner on Behalf of Parry Property Holdings Ltd)

**Moved by Councillor Borneman**

**Seconded by Councillor Backman**

That we do now adjourn the regular meeting and declared the Public Meeting open.

**Carried**

2.1 Zoning By-law Amendment - Z/19/09 – 14-16 William Street (Henry)

Subsequent to an explanation of how the public was notified of application Z/19/09 - 14-16 William Street (Henry), Manager of Building & Planning Services Taylor Elgie gave an explanation of the purpose of the proposed Zoning By-law Amendment (ZBA), being to amend the C1 zone to permit five residential units within the existing structure in addition to all the uses in the C1 zone. Currently the building has four residential units and a vacant commercial unit.

No one spoke in favour of, or in opposition to the proposed ZBA and Mr. Elgie reported that no letters have been received either in favour of, or in opposition to the proposed ZBA.

2.2 Zoning By-law Amendment - Z/19/10 – 78 Great North Road (John Jackson Planner on Behalf of Parry Property Holdings Ltd)

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Subsequent to an explanation of how the public was notified of application Z/19/10 – 78 Great North Road (John Jackson Planner on Behalf of Parry Property Holdings Ltd), Manager of Building & Planning Services Taylor Elgie gave an explanation of the purpose of the proposed Zoning By-law Amendment (ZBA), being to amend the R2 zone to permit two additional dwelling units in an existing dwelling, and two additional units within an existing duplex, and a parking standard of one parking space per dwelling unit. Currently the total number of units is three, but the applicant ultimately requests seven units total between the two existing structures.

Mayor McGarvey invited those in favour of the proposed ZBA to address Council.

John Jackson, agent for Brian Moore, spoke in support of the proposed ZBA, noting that the proposed conversion would create additional units falling into the definition of affordable housing, and that he therefore hoped the proposal would receive Council support.

Mayor McGarvey invited those in opposition to the proposed ZBA to address Council.

Peter Agnello addressed Council with concerns regarding water and sewer lines attached to the property. Mr. Agnello said that the sewer lines from the upper house with 6-8 people, a lower house with 2 people and 2 other small houses come along his property and attach to the same 4" sewer line that his property is attached to. Mr. Agnello reported that quite often he gets backups in his basement, and that he believes there are too many people on the sewer line. Mr. Agnello requested that before Council makes a decision on this, he would like them to see what can be done, as he believes there should be one lateral line for each building.

James Campbell of 76 Great North Road reported that he is not necessarily opposed to the zoning by-law amendment, but that he has a concern that if the sewer and water lines are changed as a result of this project, it may disturb sewer and water lines servicing his property that he put in many years ago.

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Mr. Campbell also expressed concern regarding the parking, noting that the proposal would increase the current number of parking spots from five to seven between the two houses, and that if the hedge that exists there now must be removed to accommodate the change, he wonders if snow storage will be a problem.

Mr. Elgie reported that no letters have been received either in favour of, or in opposition to the proposed ZBA.

2.3 Zoning By-law Amendment - Z/19/11 – 80 Great North Road (John Jackson Planner on Behalf of Parry Property Holdings Ltd)

Subsequent to an explanation of how the public was notified of application Z/19/11 – 80 Great North Road (John Jackson Planner on Behalf of Parry Property Holdings Ltd), Manager of Building & Planning Services Taylor Elgie gave an explanation of the purpose of the proposed Zoning By-law Amendment (ZBA), being to permit two additional dwelling units in an existing dwelling, and one additional unit within an existing dwelling, and to permit five parking spaces in the front yard where three spaces are currently permitted. Currently the total number of units is two, but the application ultimately requests five units total between the two existing structures.

Mayor McGarvey invited those in favour of the proposed ZBA to address Council.

John Jackson addressed Council advocating for the ZBA for the same reasons as outlined for the previous application at 78 Great North Road. Mr. Jackson indicated that he was aware of Mr. Agnello's and Mr. Campbell's concern, that he agrees that the old 4" line is undersized, and he will be working with Town staff to address this.

Mayor McGarvey invited those in opposition to the proposed ZBA to address Council

Mr. Agnello indicated that he had heard some of what Mr. Jackson just said and that as far as he was concerned if the line was increased, and he did not have any back-ups into his basement, he was in favour of the ZBA.

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Mr. Campbell addressed Council, indicating that he has the same concern with this property as outlined with respect to the previous, and that as long as those concerns are addressed, he has no problem with the ZBA.

Mr. Elgie reported that no letters have been received either in favour of, or in opposition to the proposed ZBA.

Mayor McGarvey concluded the public meeting with notice that objections to the passing of the amendments will be received by the Clerk within 20 days from the date such notice is given, which objections will be forwarded to the Local Planning Appeal Tribunal. If an appeal is submitted and the appellant has not provided Council with an oral or written submission before the passing of the by-law, the Local Planning Appeal Tribunal may choose to dismiss the appeal

**Moved by Councillor McCann**

**Seconded by Councillor Borneman**

That we do now declare the public meeting closed.

**Carried**

### **3. Minutes and Matters Arising from Minutes**

#### **3.1 Adoption of Minutes**

**Moved by Councillor Keith**

**Seconded by Councillor Backman**

That the Minutes from the Regular Council meeting held September 3, 2019 be approved as circulated.

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The following motion to amend the minutes was made

**Moved by Councillor McCann**

**Seconded by Councillor Keith**

That item 9.2.1 attribution of mover and seconder be corrected per the signed Resolution, as both mover and seconder on draft minutes are recorded as Councillor Burden.

**Amendment carried**

The amended resolution was voted on

**Carried as amended**

### **3.2 Questions of Staff**

**3.2.1** In response to Councillor Keith's inquiry regarding a progress update on the Waubeek Street project, Director of Public Works Peter Brown reported that the contractor is working hard and that he is fairly confident that the first lift of asphalt will be laid before bad weather. Mr. Brown responded to Councillor Keith's follow up question regarding seeing plows on trucks, indicating that mechanics and staff are working to get vehicles ready for snow weather.

**3.2.3** In response to Councillor Backman's inquiry regarding OPP reports on speeding tickets, Director of Finance Stephanie Phillips noted that the Town does receive reports through Provincial Offences Act on how many tickets are issued in each municipality and that this information can be found as part of POA Agendas and minutes.

## **4. Correspondence**

**4.1** Margaret Gain, Georgian Bay Ave.

RE: Request for pipe installed under sidewalk to drain storm water from properties

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Referred to Director of Public Works, with an acknowledgement sent.

**4.2** Butch & Eileen Folland, Georgian Bay Ave.

RE: Request for pipe installed under sidewalk to drain storm water from properties

Referred to Director of Public Works, with an acknowledgement sent.

**4.3** Gary Black, Chair, Parry Sound Anglers & Hunters Inc.

RE: Request that Town staff refrain from mowing milkweed.

Referred to Director of Public Works, and Manager of Parks & Recreation, with an acknowledgement sent.

## **5. Deputations**

**5.1** Sebastian MacDonald

RE: Request to change speed limit along Riverdale Road from 50 km/hr to 40 km/hr.

8-year old Sebastian MacDonald addressed Council with respect to a request to lower the speed limit from 50 to 40 kms/hour on Riverdale Street where he lives. Sebastian reported that according to the Triple A Foundation for Traffic Safety, the risk of severe injury goes up the faster a car is travelling. At just under 50 km/hour, the risk of severe injury is 75%, but that at just under 40 km/hour, it drops to 25%. Sebastian noted that a review of data on Riverdale Road from August 2-August 12th, indicates that the fastest recorded speed of the 933 cars during that period was 67 km/hour and the average was 52 km/hour. Sebastian noted that his family had collected a petition of nearly 30 signatures supporting the request to pass a by-law reducing the speed limit on Riverdale Road from 50 to 40 km/hour.

**5.2** Brenda Ryan, Chair, Beautification Committee; Susan Hrycyna, DBA

Re: Downtown Blade Signs



Brenda Ryan addressed Council with respect to the first recommendation of the Downtown Beautification Plan, regarding signage. Ms. Ryan used a series of slide photos to illustrate the current state of Parry Sound downtown signage, and examples from other communities using blade signs of varied designs but meeting a minimum cohesive standard as inspiration for recommended signage improvement in the downtown.

Ms. Ryan reported that the DBA goal is to have the large metal signs that project over the sidewalk and clutter sightlines removed by March 31, 2020, and that \$20,000 is set aside from the Downtown revitalization grant to replace them with blade signs. Ms. Ryan indicated that all who currently own large metal signs are willing to have them replaced.

Ms. Ryan indicated that in support of the move to blade signage, the DBA is advocating for changes to the Sign By-law only allowing awnings and these smaller blade signs, and that any exemption requests be reviewed by the DBA before coming to Council. Ms. Ryan further reported that the DBA also advocates that the quality of sidewalk signs and standard of care be included in the by-law.

## **6. Mayor & Councillors' Reports**

Mayor & Councillors gave reports on meetings attended and matters arising.

## **7. Ratification of Matters from Closed Agenda - N/A**

## **8. Consent Agenda**

## **9. Resolutions and Direction to Staff**

### **9.1 Development and Protective Services**

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**9.1.1** Official Plan Amendment No. 3 and Rezoning Application Z/19/06 - Smith Crescent (YMCA/Wickman)

Spokesperson: Taylor Elgie, Manager of Building & Planning Services

**Resolution 2019 - 097**

**Moved by Councillor McCann**

**Seconded by Councillor Burden**

That a decision on Official Plan Amendment No. 3 and Rezoning Application Z/19/06 - Smith Crescent (YMCA/Wickman) be deferred until an environmental impact study has been submitted to the satisfaction of the Town.

**Carried**

Manager of Building and Planning Services Taylor Elgie left the meeting at 8:00 PM

**9.1.2** Direction - Signs for Out of Town Events

Spokesperson: John Este, CBO

**Direction Approved**

**Moved by Councillor Borneman**

**Seconded by Councillor Keith**

That as follow up to the Direction given at the August 13, 2018 Council Meeting no changes be made to the Sign By-law.

**Carried**

CBO John Este left the meeting at 8:02 PM

**9.2. CAO's Office/Administration**

**9.2.1 Wellness Centre and Pool Due Diligence**

Spokesperson: Clayton Harris, CAO

**Resolution 2019 - 098**

**Moved by Councillor Burden**

**Seconded by Councillor Borneman**

That Council, contingent upon the Archipelago participating in the due diligence phase, accept the bid from CS&P Architects to undertake the due diligence work related to the Wellness Centre and Pool project in the amount of \$127,100, excluding HST.

**Carried**

**9.3 Finance and POA Court Services**

**9.3.1 2018 Audited Financial Statements**

Eric Cavanagh RE: Auditors' Report

On behalf of BDO, Mr. Cavanagh gave an overview of the Auditor's Report for the year ending 2018, from the letter attached to the agenda.

Stephanie Phillips, Director of Finance / Treasurer

**Resolution 2019 - 099**

**Moved by Councillor Burden**

**Seconded by Councillor Borneman**

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That Council for the Town of Parry Sound does hereby approve the Draft Consolidated Financial Statements for the year ended December 31, 2018 in Schedule "A" as attached.

**Carried**

### **9.3.2 Insurance Joint and Several Liability Provincial Consultation**

Stephanie Phillips, Director of Finance / Treasurer

**Direction for Staff Follow-up**

**Moved by Councillor Backman**

**Seconded by Councillor Keith**

That Council directs staff to provide comments to the provincial consultation process regarding joint and several liability based on the feedback of BFL and annual insurance premium costs.

**Carried**

CAO Clayton Harris left the meeting at 8:30 P.M.

### **9.3.3 Reserve and Reserve Fund Annual Report; 2018 Surplus allocation**

Stephanie Phillips, Director of Finance / Treasurer

**Resolution 2019 - 100**

**Moved by Councillor Borneman**

**Seconded by Councillor Burden**

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That Council receives the 2018 Reserve and Reserve Fund Annual Report, attached as Schedule A, in compliance with the Town's Reserve and Reserve Fund Policy; and further,

That Council hereby approves the allocation of the surplus in Schedule B.

**Carried**

#### **9.4 Public Works**

##### **9.4.1 Joseph Street Forcemain Replacement**

Spokesperson: Peter Brown, Director of Public Works

#### **Resolution 2019 - 101**

**Moved by Councillor Backman**

**Seconded by Councillor Keith**

That upon the recommendation of Triton Engineering Services Limited, Council accept the quotation from Weeks Construction Inc. for the forcemain replacement on Joseph Street, in the amount of \$158,859.49 excluding HST, this quotation being the lowest of three quotations received; and

That funds in the amount of \$75,000 allocated for 10006 (Ditch Witch Vacuum Trailer) in 2019 budget be reallocated to this project; and

That the remaining amount be taken from Wastewater Reserves.

**Carried**

CAO Clayton Harris returned to the meeting at 8:36 P.M.

##### **9.4.2 Retaining Wall Replacement at Bay Street and James Street**

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Spokesperson: Peter Brown, Director of Public Works

**Resolution 2019 - 102**

**Moved by Councillor Keith**

**Seconded by Councillor Backman**

That upon the recommendation of Triton Engineering Services Limited, Council accept the quotation from Weeks Construction Inc. for the retaining wall replacement at Bay Street and James Street, in the amount of \$95,584.00 excluding HST, this quotation being the lowest of three quotations received.

**Carried**

**9.5. Other Business**

**10. By-laws**

**10.1 Development Protective Services**

**10.1.1** Big Sound Marina Agreement One Year Extension with Massasauga Management Co.

Spokesperson: Dave Thompson, Director of Development & Protective Services

**By-law 2019-6954**

Being a bylaw to amend By-law No: 2014-6428, the agreement with Massasauga Management Co. Inc. for operation of Big Sound Marina and the Town Dock, and supersede amending By-law No: 2017-6704 and By-law No. 2018-6858.

**Read a First, Second and Third time, Passed, Signed and Sealed.**

**10.2 CAO's Office/Administration**

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**10.3 Finance and POA Court Services**

**10.4 Public Works**

**10.5 Other Business**

**10.5.1 Confirming by-law**

**By-law 2019-6955**

Being a By-law to confirm the proceedings of Council.

**Read a First, Second and Third time, Passed, Signed and Sealed.**

**11. Adjournment**

Mayor McGarvey Adjourned the meeting at 8:41 PM.

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